

## **REMARKS**

This application has been reviewed in light of the Office Action mailed June 30, 2005.

Reconsideration of this application in view of the below remarks is respectfully requested.

Claims 1-4, 6-7, 9-12 and 14-15 are pending in the application with Claims 1 and 9 being in independent form. By the present amendment, Claims 1 and 9 are amended and Claims 8 and 16 are canceled. No new subject matter has been introduced by way of the present amendment.

### **I. Rejection of Claims 1-4, 6, 7, 9-12, 14 and 15 Under 35 U.S.C. §102(b)**

Claims 1-4, 6, 7, 9-12, 14 and 15 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,535,275 issued to Sugisaki et al. (hereinafter, "Sugisaki et al."). In response, Claims 1 and 9 have been amended to recite limitations of Claims 8 and 16, obviating the rejection under 35 U.S.C. §102(b). Specifically, amended Claim 1 recites: "...and wherein said reverse section has a random number generator for generating a random number for designating said coordinates." In addition, Amended Claim 9 recites: "...said coordinates being designated by generating at least one random number."

### **II. Rejection of Claims 8 and 16 Under 35 U.S.C. §103(a)**

Claims 8 and 16 have been rejected under 35 U.S.C. §103(a) as allegedly being obvious over Sugisaki et al. in view of U.S. Patent No. 5,991,403 issued to Aucsmith et al. (hereinafter, "Aucsmith et al."). By the present amendment, Claims 8 and 16 have been canceled and the limitations recited therein have respectively been incorporated into amended Claims 1 and 9, thus the rejection of Claims 8 and 16 are rendered moot. However, as Claims 1 and 9 recite similar limitations, the above-identified rejection will be argued with respect to independent Claims 1 and 9 as well as Claims 3-4, 6-7, 10-12 and 14-15, which depend from independent Claims 1 and 9, and thus contain the limitations recited by those independent claims.

The Examiner concedes that Sugisaki et al. fails to disclose a reverse section having a random number generator for generating a random number for designating existence of code. Aucsmith et al. discloses a random number generator for creating an encryption key used for encrypting each data point of a video image.

However, the Aucsmith et al. number generator does not produce a random number used for specifying the reverse pattern for reducing the image quality of a video. Specifically, Aucsmith et al. does not disclose or suggest applying a scramble pattern to the image data, thus a motivation to combine the teachings of this reference with Sugisaki is not present, as both references already teach complete and functioning copy protection methods using very different approaches.

However, for argument's sake, any proper combination of Sugisaki et al. and Aucsmith et al. would most logically lead someone skilled in the art to create a two-step copy protection method, wherein the data points would first be encrypted using an encryption key as taught in Aucsmith et al. followed by the scrambling as taught in Sugisaki et al., or vise-versa. Since there is no suggestion in Sugisaki et al. to use a random number to determine the scramble pattern, or even the suggestion of using a variable scramble method, it would not be obvious to one skilled in the art to combine the cited references in a manner that would yield Applicant's claimed invention.

Therefore, any proper combination of Sugisaki et al. and Aucsmith et al. would not disclose or suggest Applicant's invention as recited in Claims 1 and 9 and thus Claims 1 and 9, as well as the claims depending from these claims, are believed patentably distinct and allowable over the cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the

rejection with respect to Claims 1-4, 6-7, 9-12, 14 and 15 under 35 U.S.C. §103(a) over Sugisaki et al. in view of Aucsmith et al.



## CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-4, 6, 7, 9-12 and 14-15 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

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